

RESOLUTION NO. 2006- 170

A RESOLUTION CLOSING, VACATING, AND ABANDONING OF THOSE CERTAIN RIGHTS OF WAY OR THE RENOUNCING AND DISCLAIMING OF ANY RIGHT OR INTEREST OF SAID NASSAU COUNTY, FLORIDA, AND THE PUBLIC IN SAID RIGHTS OF WAY OR ALLEYS.

*Of this to Judge Rec 35.50*

WHEREAS, upon the petition of Southern Plantations of Florida, LLC, a public hearing was held at 7:00 PM on the 11th day of December 2006, at the Commission Chambers at the Nassau County Governmental Complex, located at 96135 Nassau Place, Yulee, Florida, pursuant to a notice duly published as provided by law for consideration by the Board of County Commissioners to close, vacate, and abandon the roadways or alleyways hereinafter described and to renounce and disclaim the right of the public and the county in and to said roadways and alleyways described as follows:

**SEE LEGAL DESCRIPTION ATTACHED HERETO AS EXHIBIT "A"**

WHEREAS, no one appeared at said public hearing regarding said petition, and

WHEREAS, this Board finds that said roadways or alleyways lie wholly without the corporate limits of any municipality and that this Board is authorized to close said roadways or alleyways by the authority stated in Section 336.09, Florida Statutes; and

WHEREAS, this Board has determined that it is in the best interest of Nassau County and the public that said roadways or alleyways be closed, vacated and abandoned and that the interest of Nassau County and the public be renounced and disclaimed therein.

NOW, THEREFORE, BE IT RESOLVED this 11th day of December, 2006, by the Board of County Commissioners of Nassau County, Florida, in a meeting duly assembled that said roadways or alleyways as

hereinbefore described in the preamble hereto be, and the same is, hereby closed, vacated, and abandoned.

BE IT FURTHER RESOLVED that the right and interest of Nassau County and the public in said roadways above described be, and the same are hereby renounced and disclaimed, and any easement heretofore owned, held, claimed or used by or on behalf of the public therein is hereby abrogated.

BE IT FURTHER RESOLVED that the Clerk of this Board shall cause to be published, within thirty (30) days after the adoption of this Resolution, in one issue of the *News Leader*, a notice of the adoption of this Resolution closing, vacating, and abandoning all of those certain roadways or alleyways as hereinbefore described in the preamble hereto, and the renouncing and disclaiming of any right or interest of the county and the public in said roadways or alleyways.

NOTICE IS HEREBY GIVEN that the Board of County Commissioners of Nassau County, Florida did on the 11th day of December, 2006 adopt a Resolution Closing, vacating, and abandoning those certain roadways or alleyways, described as follows:

**SEE LEGAL DESCRIPTION ATTACHED HERETO AS EXHIBIT "A"**

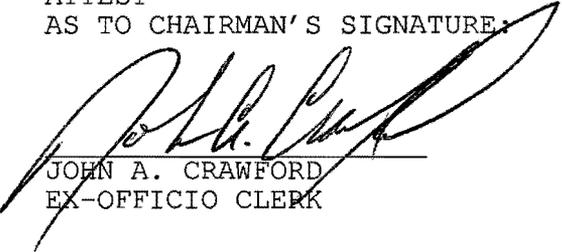
BOARD OF COUNTY COMMISSIONERS  
NASSAU COUNTY, FLORIDA

BY:



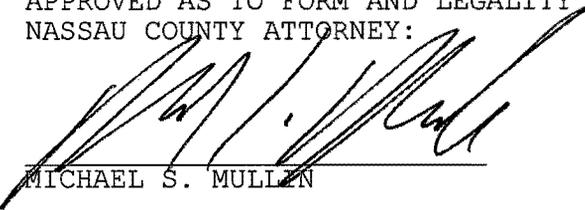
THOMAS D. BRANAN, JR.  
ITS: CHAIRMAN

ATTEST  
AS TO CHAIRMAN'S SIGNATURE:



JOHN A. CRAWFORD  
EX-OFFICIO CLERK

APPROVED AS TO FORM AND LEGALITY BY THE  
NASSAU COUNTY ATTORNEY:

A handwritten signature in black ink, appearing to read "Michael S. Mullen", written over a horizontal line.

MICHAEL S. MULLEN

# MANZIE & DRAKE LAND SURVEYING

Michael A. Manzie, P.L.S. • Vernon N. Drake, P.S.M. • Frank L. Bowen, P.S.M.

## LEGAL DESCRIPTION

JOB # 16776

FOR "HIRTH ROAD" ABANDONMENT (A 30.00 FOOT RIGHT-OF-WAY), AS SHOWN ON THE PLAT OF "OCEAN BREEZE FARMS", ACCORDING TO PLAT RECORDED IN PLAT BOOK 2, PAGE 19 OF THE PUBLIC RECORDS OF NASSAU COUNTY, FLORIDA. SAID "HIRTH ROAD: LYING 30.00 FEET NORTHERLY OF AND ADJOINS THE FOLLOWING DESCRIBED LINE: FOR A POINT OF REFERENCE COMMENCE AT THE NORTHEASTERLY CORNER OF LOT 70, "OCEAN BREEZE FARMS" AFORESAID; AND RUN SOUTH 89°36'20" WEST ALONG THE NORTHERLY LINE OF SAID LOT 70, BEING ALSO THE SOUTHERLY RIGHT-OF-WAY LINE OF "HIRTH ROAD" AFORESAID, A DISTANCE OF 315.00 FEET TO THE POINT OF BEGINNING.

~~FROM THE POINT OF BEGINNING THUS DESCRIBED CONTINUE SOUTH 89°36'20" WEST ALONG THE NORTHERLY LINE OF SAID LOT 70 AND ALONG THE SOUTHERLY RIGHT-OF-WAY LINE OF "HIRTH ROAD", A DISTANCE OF 300.00 FEET MORE OR LESS TO THE MARSHLAND OF THE AMELIA RIVER FOR THE TERMINATION POINT.~~

THE SIDELINES OF THE ABOVE DESCRIBED EASEMENT SHALL BE LENGTHENED OR SHORTENED AS NECESSARY IN ORDER TO MAINTAIN A CONTINUOUS STRIP OF LAND 30.00 FEET IN WIDTH AND TO INTERSECT EXISTING EASEMENTS, RIGHT-OF-WAY, PROPERTY LINES OR OTHER INSTRUMENTS OF RECORD AS MY BE APPLICABLE.

BY: Frank L. Bowen 05-23-06  
FRANK L. BOWEN, PROFESSIONAL SURVEYOR AND MAPPER  
FLORIDA REGISTRATION NO. 2477  
JOB NO. 16776

SHEET 2 OF 2 SHEETS

# NEWS LEADER

Published Weekly

511 Ash Street/P.O. Box 766 (904) 261-3696  
Fernandina Beach, Nassau County, Florida 32034

**NOTICE OF ADOPTION OF  
RESOLUTION CLOSING,  
VACATING, AND  
ABANDONING OF RIGHTS  
OF WAY, ROADWAYS OR  
ALLEYWAYS**

TO WHOM IT MAY CONCERN:  
NOTICE IS HEREBY GIVEN  
that the Board of County  
Commissioners of Nassau  
County, Florida, upon the peti-  
tion of Southern Plantations  
of Florida, LLC, applicant, did  
on the 11th day of December  
2006 adopt Resolution No.  
2007-170, a resolution closing,  
vacating, and abandoning  
those certain rights of way or  
alleyways described as fol-  
lows:

**LEGAL DESCRIPTION  
JOB # 16776**

FOR "HIRTH ROAD" ABAN-  
DONMENT, (A) 30.00 FOOT  
RIGHT-OF-WAY, AS SHOWN  
ON THE PLAT OF "OCEAN  
BREEZE FARMS," ACCORDING  
TO PLAT RECORDED IN PLAT  
BOOK 2, PAGE 19 OF THE PUB-  
LIC RECORDS OF NASSAU  
COUNTY, FLORIDA, SAID "HIRTH  
ROAD" LYING 30.00 FEET  
NORTHERLY OF AND ADJOINING  
THE FOLLOWING DESCRIBED  
LINE: FOR A POINT OF REFER-  
ENCE COMMENCE AT THE  
NORTHEASTERLY CORNER OF  
LOT 70, "OCEAN BREEZE  
FARMS" AFORESAID, AND RUN  
SOUTH 89°36'20" WEST ALONG  
THE NORTHERLY LINE OF SAID  
LOT 70, BEING ALSO THE  
SOUTHERLY RIGHT-OF-WAY  
LINE OF "HIRTH ROAD" AFORE-  
SAID, A DISTANCE OF 316.00  
FEET TO THE POINT OF BEGIN-  
NING.

FROM THE POINT OF  
BEGINNING THIS DESCRIBED  
CONTINUE SOUTH 89°36'20"  
WEST ALONG THE NORTHERLY  
LINE OF SAID LOT 70, AND  
ALONG THE SOUTHERLY RIGHT-  
OF-WAY LINE OF "HIRTH  
ROAD," A DISTANCE OF 300.00  
FEET MORE OR LESS TO THE  
MARSHLAND OF THE AMELIA  
RIVER FOR THE TERMINATION  
POINT.

THE SIDELINES OF THE  
ABOVE DESCRIBED EASEMENT  
SHALL BE LENGTHENED OR  
SHORTENED AS NECESSARY IN  
ORDER TO MAINTAIN A CON-  
TINUOUS STRIP OF LAND 30.00  
FEET IN WIDTH AND TO INTER-  
SECT EXISTING EASEMENTS,  
RIGHT-OF-WAY, PROPERTY  
LINES OR OTHER INSTRUMENTS  
OF RECORD AS MAY BE  
APPLICABLE.

and that said Resolution  
renounces and disclaims any  
right or interest of said Nassau  
County, Florida and the pub-  
lic in and to said portion of  
roadways or alleyways.  
BOARD OF COUNTY  
COMMISSIONERS  
NASSAU COUNTY, FLORIDA  
BY: /s/ THOMAS D.  
BRANAN, JR.  
ITS CHAIRMAN  
ATTEST:  
/s/ JOHN A. CRAWFORD  
EX-OFFICIO CLERK  
11-01-03-2007  
5616

**STATE OF FLORIDA  
COUNTY OF NASSAU:**

Before the undersigned authority personally appeared  
**Michael B. Hankins**

who on oath says that he is the Advertising Director  
of The Fernandina Beach *News-Leader*, a weekly  
newspaper published at Fernandina Beach in Nassau  
County, Florida; that the attached copy of  
advertisement, being a Legal Notice  
in the matter of

**NOTICE OF ADOPTION OF RESOLUTION  
CLOSING, VACATING, AND ABANDONING OF  
RIGHTS OF WAY, ROADWAYS, OR ALLEYWAYS  
Board of County Commissioners  
of Nassau County, Florida**

was published in said newspaper in the issues of  
**01-03-2007**  
**ref. No. 5616**

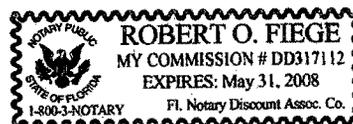
Affiant further says that the said Fernandina Beach  
*News-Leader* is a newspaper published at Fernandina  
Beach, in said Nassau County, Florida, and that the  
said newspaper has heretofore been continuously  
published in said Nassau County, Florida, each week  
and has been entered as second class mail matter at  
the post office in Fernandina Beach in said Nassau  
County, Florida, for a period of one year next  
preceding the first publication of the attached copy  
of advertisement; and affiant further says that he has  
neither paid nor promised any person, firm or  
corporation any discount, rebate, commission or  
refund for the purpose of securing this advertisement  
for publication in the said newspaper.

*Michael B. Hankins*

Sworn to and subscribed before me  
this **3rd** day of **January**, A.D. 2007.

*Robert O. Fiege*  
Robert O. Fiege, Notary Public

*A* Personally Known



INSTR # 200702224, OR Book 1473, Page 103, Pages 1  
Recorded 01-19-2007 at 03:47 PM  
John A Crawford, Nassau County Clerk of Circuit Court  
Rec. Fee \$10.00

Rec 10.00  
Hank to Joyce

# NEWS LEADER

Published Weekly

511 Ash Street/P.O. Box 766 (904) 261-3696  
Fernandina Beach, Nassau County, Florida 32034

## STATE OF FLORIDA COUNTY OF NASSAU:

Before the undersigned authority personally appeared **Michael B. Hankins** who on oath says that he is the Advertising Director of The Fernandina Beach *News-Leader*, a weekly newspaper published at Fernandina Beach in Nassau County, Florida; that the attached copy of advertisement, being a Legal Notice in the matter of

## NOTICE OF HEARING FOR THE ABANDONMENT OF RIGHTS OF WAY, ROADWAYS, OR ALLEYWAYS Board of County Commissioners of Nassau County, Florida Dec. 11, 2006

was published in said newspaper in the issues of **11-22-2006**

**ref. No. 5548**

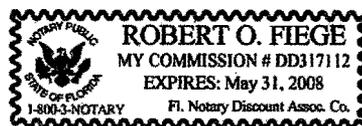
Affiant further says that the said Fernandina Beach *News-Leader* is a newspaper published at Fernandina Beach, in said Nassau County, Florida, and that the said newspaper has heretofore been continuously published in said Nassau County, Florida, each week and has been entered as second class mail matter at the post office in Fernandina Beach in said Nassau County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

*Michael B. Hankins*

Sworn to and subscribed before me  
this **22nd** day of **November, A.D. 2006.**

*Robert O. Fiege*  
Robert O. Fiege, Notary Public

*[Signature]* Personally Known



NOTICE OF HEARING FOR THE ABANDONMENT OF RIGHTS OF WAY, ROADWAYS OR ALLEYWAYS TO WHOM IT MAY CONCERN: YOU WILL TAKE NOTICE that the Board of County Commissioners of Nassau County, Florida upon the petition of Southern Plantations of Florida LLC, will at 7:00 PM on the 11th day of December, 2006 at the Commission Chambers located at the Nassau County Governmental Complex, 96135 Nassau Place, Valsley, Florida 32097, consider and determine whether or not the said Nassau County, Florida will vacate, abandon, discontinue and close and will renounce and disclaim any right of Nassau County, Florida and the public in and to any land or interest therein delineated upon the roads and alleys which is more particularly described as follows:  
LEGAL DESCRIPTION  
JOB # 16776  
FOR A 25.00 FOOT DRAINAGE EASEMENT, BEING A PORTION OF THIRTH ROAD

(A 30.00 FOOT RIGHT-OF-WAY) TO BE ABANDONED AND A PORTION OF LOT 87, OCEAN BREEZE FARMS ACCORDING TO PLAT RECORDED IN PLAT BOOK 2, PAGE 10 OF THE PUBLIC RECORDS OF NASSAU COUNTY, FLORIDA. SAID EASEMENT BEING A STRIP OF LAND THAT LIES 25.00 FEET WEST AND 25.00 FEET SOUTH OF AND ADJOINS THE FOLLOWING DESCRIBED LINES FOR A POINT OF REFERENCE COMMENCE AT THE NORTHEASTERLY CORNER OF LOT 70, OCEAN BREEZE FARMS, AFORESAID, AND RUN SOUTH 89°36'20" WEST ALONG THE NORTHERLY LINE OF SAID LOT 70, BEING ALSO THE SOUTHERLY RIGHT-OF-WAY LINE OF THIRTH ROAD, AFORESAID, A DISTANCE OF 315.00 FEET TO THE POINT OF BEGINNING. FROM THE POINT OF BEGINNING THUS DESCRIBED RUN THENCE NORTH 04°23'40" WEST, A DISTANCE OF 261.00 FEET TO AN ANGLE POINT WHERE SAID EASEMENT LIES 25.00 FEET SOUTH OF AND ADJOINS THE FOLLOWING DESCRIBED LINE: THENCE SOUTH 86°36'20" WEST, A DISTANCE OF 18.00 FEET MORE OR LESS TO THE MARSHLAND OF AMELIA RIVER FOR THE TERMINATION POINT OF SAID EASEMENTS. THE SIDELINES OF THE ABOVE DESCRIBED EASEMENT SHALL BE LENGTHENED OR SHORTENED AS NECESSARY IN ORDER TO MAINTAIN A CONTINUOUS STRIP OF LAND 25.00 FEET IN WIDTH AND TO INTERSECT EXISTING EASEMENTS, RIGHT-OF-WAY, PROPERTY LINES OR OTHER INSTRUMENTS OF RECORD AS MAY BE APPLICABLE. The public is invited to be present and be heard; if a person wishes to appeal any decision made by the Board, agency or commission, with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. Individuals with disabilities requiring accommodations in order to participate in this proceeding should contact the Office of the Ex-Officio Clerk at (904) 548-4660 or Florida Relay Service at 1-800-955-8770 (V) or 1-800-955-8771 (TDD) at least seventy-two hours in advance to request such accommodation.  
BOARD OF COUNTY COMMISSIONERS  
NASSAU COUNTY, FLORIDA  
/s/ THOMAS D. BRANAN, JR.  
Its Chairman  
ATTEST  
JOHN A. CRAWFORD  
Its Ex-Officio Clerk  
11-22-2006  
5548

Rec 10.00

Give to Fiege

INSTR # 200702226 OR Book 1473 Page 108 Pages 1  
Recorded 01 19 2007 at 03 47 PM.  
John A Crawford Nassau County Clerk of Circuit Court  
Rec. Fee \$10.00  
#3